

# **ATTACHMENT 10**

Page 21

- 1 Q. Are you single?
- 2 A. Of course.
- 3 Q. What do you do for a living?
- 4 A. Electrician, contractor.
- 5 Q. What's your educational background? Did
- 6 you finish high school?
- 7 A. Yes.
- 8 Q. Any post-high school education?
- 9 A. Continuing education for electrical and the
- 10 trades after high school.
- 11 Q. And what is your annual salary,
- 12 approximately?
- 13 A. About \$100,000.
- 14 Q. Between the years of 1995 and 2007, have
- 15 you ever purchased a TV with a cathode ray tube in
- 16 it?
- 17 A. Yes.
- 18 Q. In what states did you make those
- 19 purchases?
- 20 A. Massachusetts.
- 21 Q. How many CRT TVs do you think you purchased
- 22 between that time period?
- 23 A. I'd have to estimate about four or five?
- 24 Q. Do you remember where you purchased them?
- 25 A. Mostly Lechmere Sales over in Cambridge.

Page 22

1 Q. Do you still have any receipts from any of  
2 those purchases?

3 A. I believe so. I'd have to research it. I  
4 also sent receipts to the lawyer, Alioto, back a  
5 while ago, and I'm not sure if I still have the  
6 originals.

7 Q. Do you remember when you sent those  
8 receipts in?

9 A. Long time ago. It'd have to be around  
10 2008, 2009, possibly, at the beginning.

11 Q. Okay. Between 1995 and 2007, did you  
12 purchase any computer monitors that had a Cathode Ray  
13 Tube?

14 A. I believe so, yes.

15 Q. In what states did you make those  
16 purchases?

17 A. Massachusetts.

18 Q. And how many computer monitors do you think  
19 you purchased during that time period?

20 A. That would be two, roughly.

21 Q. Two?

22 A. Probably a couple.

23 Q. Where did you buy them?

24 A. That, I'm not sure. Primary place would  
25 have been Lechmere, but I'm not 100 percent sure on

1 that one.

2 Q. Do you have any receipts for the purchases  
3 of the computer monitors?

4 A. I don't think they're in my possession  
5 anymore. I think I sent all the receipts -- I  
6 forwarded all the receipts. I have to double check  
7 my files to make sure I didn't miss anything.

8 Q. Did you purchase any products with CRTs in  
9 it besides TVs or computer monitors?

10 A. I may have. I'm not sure exactly.

11 Q. Okay.

12 A. Are you -- specific products --

13 Q. No, I don't have anything specific in mind.

14 Are you aware of any other products that you have?

15 A. You know what, those two are probably the  
16 main ones.

17 Q. Did you purchase any products, including  
18 TVs or computer monitors, with CRTs in them in any  
19 state other than Massachusetts?

20 A. No.

21 Q. Do you know what a class action is, sir?

22 A. Yes.

23 Q. Do you have an opinion of class actions?

24 MR. BONSIGNORE: Objection.

25 You can answer.

Page 24

1 A. I guess I have no opinion. I don't have a  
2 legal opinion on that one.

3 Q. Do you have an opinion as a lay person as  
4 to class actions?

5 A. Class actions don't really help the average  
6 person. They help the attorneys. The average person  
7 that fights for consumer rights usually gets shafted  
8 at the end is what my feeling is, my personal feeling  
9 on that.

10 Q. Do you know anything about what notice is  
11 typically provided in class-action settlements?

12 A. A lot of notices do not get provided, and  
13 that's part of the problem here. There's a lot of  
14 unethical behavior with -- by attorneys that are  
15 involved not producing proper documents to affected  
16 people.

17 Q. Do you have anything specific in mind when  
18 you say that?

19 A. Specifically, a lot of people have been  
20 left out of this class action. This is a class  
21 action, I believe, in many ways. A lot of people  
22 have not been notified. There's states that have  
23 been left out, including Massachusetts, and that  
24 seems to be unethical to me.

25 Q. Okay. Do you have an opinion about

Page 29

1 front of Judge Hillman in the federal court in  
2 Worcester. So I didn't get a chance to manipulate  
3 that fine copying this morning.

4 BY MR. DEVER:

5 Q. Okay. Mr. Giannasca, do you know if a  
6 complaint was ever filed on your behalf in this case?

7 A. I believe my attorney has filed complaints  
8 on my behalf.

9 Q. Did you authorize him to file those  
10 complaints?

11 A. Yes.

12 Q. Do you remember when he filed those  
13 complaints?

14 A. I think we just went through that. There's  
15 many times --

16 MR. BONSIGNORE: There's other  
17 documents here that we can introduce. That's  
18 probably the one you're looking for.

19 A. Most recently was the (indecipherable)  
20 complaint.

21 (Clarification requested by the court  
22 reporter.)

23 MR. BONSIGNORE: Case 3-08-CV-054 --  
24 sorry. Case 308-CV-01559-SC, Document 1, filed  
25 3/21/08.

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Page 30

1 It's a 34-page complaint filed by  
2 Mario Alioto, Lauren Russell; Trump, Alioto, Trump &  
3 Prescott; and then Joseph Patane, Law Office of  
4 Joseph Patane. Terry -- Brigid Terry, Anthony  
5 Giannasca, Brigid Flaherty, and Brigid Ten Eyck  
6 against LG and a litany of defendants. And for  
7 whatever -- there's other signatures at the back on  
8 page 33. And my signature -- my name is on page 34.

9 MR. DEVER: Okay. Thank you.

10 BY MR. DEVER:

11 Q. So the document that was just produced is  
12 from 2008. Do you recall having anything to do with  
13 this matter after the initial complaint was filed in  
14 2008?

15 A. Yes.

16 Q. What did you do?

17 A. I contacted my attorney. We talked before  
18 and after, and that's what I -- what do we do, and  
19 went forward with the case.

20 Q. And then did anything else happen in the  
21 case -- did you personally do anything relating to  
22 the case then --

23 MR. BONSIGNORE: Objection; asked and  
24 answered. He said I sent things --

25 A. Well, I talked to my attorney.

1 first found out. Do you remember if it was in  
2 September?

3 A. That was before. Might have been – could  
4 have been July.

5 Q. And how did you find out about the  
6 settlement?

7 A. Contact with my attorney.

8 Q. Did you call him, or did he call you?

9 A. I don't recall. I think we were just  
10 talking and it came up. I don't recall who called  
11 who.

12 Q. Generally speaking, how often do you speak  
13 to Mr. Bonsignore?

14 A. Periodically. Two times a year, I guess.

15 Q. And what caused you to object to the  
16 settlements?

17 A. It was my understanding that my name was  
18 left out of the -- was pulled out of the class action  
19 for no reason. And I was always told that it would  
20 be straightened out, but I realize now that it was  
21 still an issue.

22 Q. Okay. So you're objecting because your  
23 name was taken out?

24 A. I was removed for some unknown reason.

25 Q. Is that the basis for your objection to the

1 settlement?

2 A. I believe so, yes.

3 MR. BONSIGNORE: I'm going to object to  
4 the extent that it calls for a legal analysis.

5 BY MR. DEVER:

6 Q. And what do you hope to achieve as a result  
7 of your objection?

8 A. Fairness for all consumers.

9 Q. Do you know if there was a written  
10 objection made on your behalf to the settlements?

11 A. Yes, I believe so.

12 Q. And do you know what arguments were made in  
13 that objection?

14 A. Is there a specific one, or ...

15 Q. I just want to know what --

16 A. The arguments that basically my name was  
17 removed, and that was the main thing, I believe.

18 Q. Okay. Whose idea was it to file the  
19 objection?

20 A. Mine. My idea.

21 Q. And have you ever received the actual  
22 objection that was filed on your behalf?

23 A. I did look through it, but again, I don't  
24 like to read too many documents. I scan through  
25 them. I don't have time to read every little piece.

Page 37

1 there?

2 A. Supplemental? You mean after this one?

3 Q. Yes.

4 A. I'm not sure. I don't remember that. I  
5 just know I objected. How many objections? I'm not  
6 100 percent sure about that.

7 Q. Okay. The objection in your hand,

8 Exhibit 2 there, did you authorize your attorney to  
9 file that objection?

10 A. Yes. I told him to object, and I believe  
11 this is it.

12 MR. DEVER: Okay. Now I'm going to  
13 mark Exhibit 3.

14 (Exhibit 3, Supplemental Objection to  
15 Proposed class-action settlement and Award of  
16 Attorneys' Fees, marked for identification.)

17 BY MR. DEVER:

18 Q. Exhibit 3, what is that?

19 A. It looks like a -- "supplemental objection"  
20 is what it says.

21 Q. Have you ever seen this before?

22 A. I must have. It's an objection. I thought  
23 it was one and the same, but obviously it's an  
24 additional one.

25 Q. Do you know if you reviewed that

1 supplemental objection before it was filed.

2 A. Yes. It looks familiar, yes.

3 Q. And did you authorize the filing of this  
4 supplemental objection?

5 A. Let me look through it. It looks like it,  
6 yeah. Definitely looks familiar, yes.

7 Q. And what did you hope to achieve by filing  
8 this supplemental objection?

9 A. Well, my name is left out, and it's unfair.  
10 And a lot of other people have been left out, and  
11 it's very unfair to the consumer. And it's awarding  
12 attorneys' fees for doing the – for not doing their  
13 job. Basically giving an award for bad behavior, as  
14 far as I can see. So I want to achieve fairness, in  
15 answer to your question.

16 Q. Okay. Do you know what arguments are made  
17 in the supplemental objection?

18 A. It's coming down to the same thing. You  
19 know, it's about a consumer rights and the attorneys'  
20 fees, that they're looking for attorneys' fees, and  
21 they left out certain states and a lot of people.  
22 And that's my objection to that.

23 Q. And do you know why the arguments that you  
24 made in the supplemental objection weren't made in  
25 the initial objection?

Page 46

1 A. Not that I can recall. And, again, I don't  
2 recall names very well, as you can see.

3 Q. Do you know how much time the attorneys  
4 spent on this case?

5 A. Not specifically, but I would assume it's a  
6 long time. It was many hours.

7 Q. And do you -- have you reviewed any firm's  
8 fee affidavit in this case?

9 A. No, I have not.

10 Q. Do you know what any of the firms' hourly  
11 rates are?

12 A. No, I do not.

13 Q. Are you objecting to the lead counsel's  
14 process of accepting and rejecting certain firms'  
15 time in this case?

16 A. Which counsel?

17 Q. The lead counsel, Trump, Alioto.

18 A. Yes.

19 Q. And why? Why are you objecting to that?

20 MR. BONSIGNORE: Objection; calls for a  
21 legal conclusion.

22 But go ahead.

23 A. Due diligence. They did not do any due  
24 diligence in notifying the proper affected people in  
25 many states, removing names. They -- very unethical

1 behavior.

2 So, again, getting back to my answer  
3 before, they're awarded for bad behavior. I think  
4 that's wrong. A lot of attorneys do that. And I'm  
5 not -- no insult to you or anybody in this room, but  
6 that's bad practice, which is rampant.

7 Q. So my question is actually a little bit  
8 different. Are you objecting to the way the lead  
9 counsel decides to split any fee that they receive  
10 among the various firms that helped them on the case?

11 MR. BONSIGNORE: Objection; asked and  
12 answered.

13 A. I'm objecting to fairness to all consumers  
14 that were eliminated or not included or notified.  
15 And his fee is in direct relation to bad behavior.

16 Q. Okay. Take a look at Exhibit 2, if you  
17 would, the little objection, the smaller one.

18 A. Okay. What page?

19 Q. If you look at page 3 --

20 A. Okay.

21 Q. -- this is the California paper, so you can  
22 see the eighth line down.

23 A. I can see what.

24 Q. The eighth line down?

25 A. Yes.

Page 48

1 Q. Oh, I'm sorry.

2 A. Number eight?

3 Q. Yeah. Where it says, "The nationwide  
4 class."

5 A. I'm sorry. Point it out.

6 Q. I'm sorry. It's page 4 on the top, page 3  
7 on the bottom. Sorry about that. Do you see where  
8 it says, "The nationwide class is improper because it  
9 requires members of the injunctive release settlement  
10 class to release both monetary and  
11 injunctive/equitable claims without any consideration  
12 for such releases?" Do you see that?

13 A. Yes, I see it.

14 Q. Do you understand what that means?

15 A. It sounds like a lot of legal mumbo jumbo,  
16 but I'd have to refer to my attorney to explain it in  
17 better detail.

18 Q. Okay. Is that a no? You don't understand  
19 what it means?

20 A. Well, let me just read it again.

21 All right. It's basically telling me, I  
22 think, that a lot of people are being left out of  
23 this and monetary payment is being considered without  
24 the class of -- the affected class, is what I'm  
25 reading.

Page 52

1 not for his TV, if that's what you're worried about.

2 A. Like I said, similar.

3 MR. DEVER: Oh, I'm not worried about

4 that, but that's what I'm trying to establish.

5 BY MR. DEVER:

6 Q. So this does not have to do with your TV,

7 then, Exhibit 4?

8 A. No, it's not my TV, no. But it's similar

9 to what my -- you said does it look familiar.

10 Q. Oh, sorry. Yeah. So you think you have a  
11 receipt that looks like this someplace?

12 A. It's obvious to me that's the back of a TV  
13 with a serial number, and then you've got the front  
14 of the TV. So I am sure I can take pictures of TVs I  
15 have that will be similar to that.

16 Q. Do you still have CRT TVs in your home?

17 A. Yes, I believe I do.

18 Q. Okay. You can put that down now.

19 MR. DEVER: I'm going to mark  
20 Exhibit 5.

21 (Exhibit 5, email from Mr. Alioto to  
22 Mr. Bonsignore dated March 5, 2012, marked for  
23 identification.)

24 BY MR. DEVER:

25 Q. What is Exhibit 5?

Page 59

1 complaint. Could you elaborate?

2 A. Well, I was cut out as a consumer, and  
3 everybody else in Massachusetts was left out.

4 Q. So when you were saying the words you were  
5 cut out, you meant --

6 (Multiple parties speaking.)

7 Interruption by the court reporter.)

8 BY MR. BONSIGNORE:

9 Q. What did you mean by saying you were cut  
10 out?

11 A. The people in Massachusetts and other  
12 states as well, as I understand.

13 Q. Because you were a class representative?

14 A. Yes.

15 Q. You received, in advance, the first  
16 objection. I think it's Exhibit 1. And I think we  
17 said that there were no changes. Did you have  
18 anything that you wanted to add at the time to  
19 Exhibit 2?

20 A. That's what it says.

21 Q. Okay. Exhibit 2, when we discussed it, did  
22 you have anything that you wanted to add in there  
23 about behavior or anything?

24 A. Well, like I mentioned before, I thought it  
25 was a lot of unethical stuff happening against the

1 consumer and consumer rights and people not being  
2 notified.

3 Q. But your suggestion was not included in  
4 that?

5 A. Yes.

6 Q. Throughout the years, you've dealt with a  
7 number of the people in my office with regard to the  
8 CRT case?

9 A. Okay.

10 Q. Do you recognize the name Kelly?

11 A. Yes. Kelly sounds familiar, yeah.

12 Q. Do you recognize the name Rick?

13 A. Yes.

14 Q. And Robin?

15 A. Robin is your ex-wife, right, I believe  
16 you're talking about.

17 Q. You've got to bring it up.

18 A. Oh, I'm sorry.

19 Q. I was having a good day. I was just merely  
20 miserable.

21 A. But the answer is yes.

22 Q. And you've had occasion to discuss the case  
23 with them?

24 A. I believe so.

25 MR. BONSIGNORE: That's all that I have

Page 63

1 A. No.

2 Q. Was she an attorney?

3 A. She might have been.

4 Q. Do you know if she was an attorney?

5 A. I'm not sure.

6 Q. Do you know if she was a paralegal?

7 A. It's possible. It looked like she knew

8 what she was doing. I don't know.

9 Q. How about Rick? Do you know what his  
10 position was?

11 A. No.

12 Q. And how about Robin? Do you know what her  
13 position was?

14 A. I know she was an attorney.

15 Q. And then in response to Mr. Bonsignore's  
16 questioning, you just said you had some things that  
17 you suggested adding to the initial objection; is  
18 that correct?

19 A. I think I answered that. Adding the part  
20 that -- unethical behavior and the fees being awarded  
21 for not properly doing the correct job as a lawyer  
22 and not informing people. I mean, I think I already  
23 said -- I said all that.

24 MR. BONSIGNORE: Objection; asked and  
25 answered.

1 BY MR. BONSIGNORE:

2 Q. When you were taken out of the case, you  
3 testified earlier that you were advised directly or  
4 indirectly that Mario Alioto said not to worry about  
5 it and that he would take care of it. Did you have  
6 any reason to believe that Court appointed lead  
7 counsel would cut you and the State of Massachusetts  
8 out of the economic class?

9 MR. DEVER: Object to the form.

10 A. No. Because I was told not to worry about  
11 it and I just assumed it would be taken care of and  
12 that justice would prevail for all consumers. But I  
13 guess -- I think we're here today because of the  
14 objections and me objecting and obviously raising  
15 these issues.

16 Q. Would you be happy if Mario Alioto, as lead  
17 counsel, acted in the best interest of your behalf  
18 and the other Massachusetts and New Hampshire and  
19 Missouri and other states and put them back into the  
20 economic class?

21 A. I think someone needs to step up to the  
22 plate and do what's right for all consumers, and that  
23 has not happened. And it looks like it's not going  
24 to happen. And there's obviously a class that's not  
25 worth anything. There's a worthless class here

Bonsignore and Brewer  
193 Plummer Hill Road  
Belmont, NH 03220  
(781) 855-7850 (cell)  
Sent from my iPhone

Begin forwarded message:

**From:** Office <[deryl@dedwardslaw.com](mailto:deryl@dedwardslaw.com)>  
**Date:** March 6, 2012 9:44:26 PM EST  
**To:** Robert Bonsignore <[rbonsignor@class-actions.us](mailto:rbonsignor@class-actions.us)>  
**Subject:** Fwd: David Perriman TV Purchase History

Sent from my iPhone

Begin forwarded message:

**From:** <[office@dedwardslaw.com](mailto:office@dedwardslaw.com)>  
**Date:** March 6, 2012 8:21:14 PM CST  
**To:** "Karl Dickhaus" <[karl@faxlaw.com](mailto:karl@faxlaw.com)>, "Office" <[deryl@dedwardslaw.com](mailto:deryl@dedwardslaw.com)>  
**Subject:** David Perriman TV Purchase History

David Perriman  
27300 Maple Road  
Carl Junction, MO 64834  
Telephone: 417-365-3652

Sarah Goolsby

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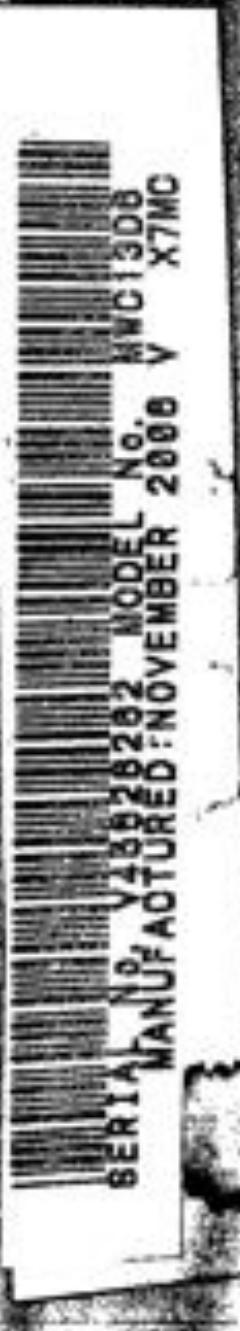
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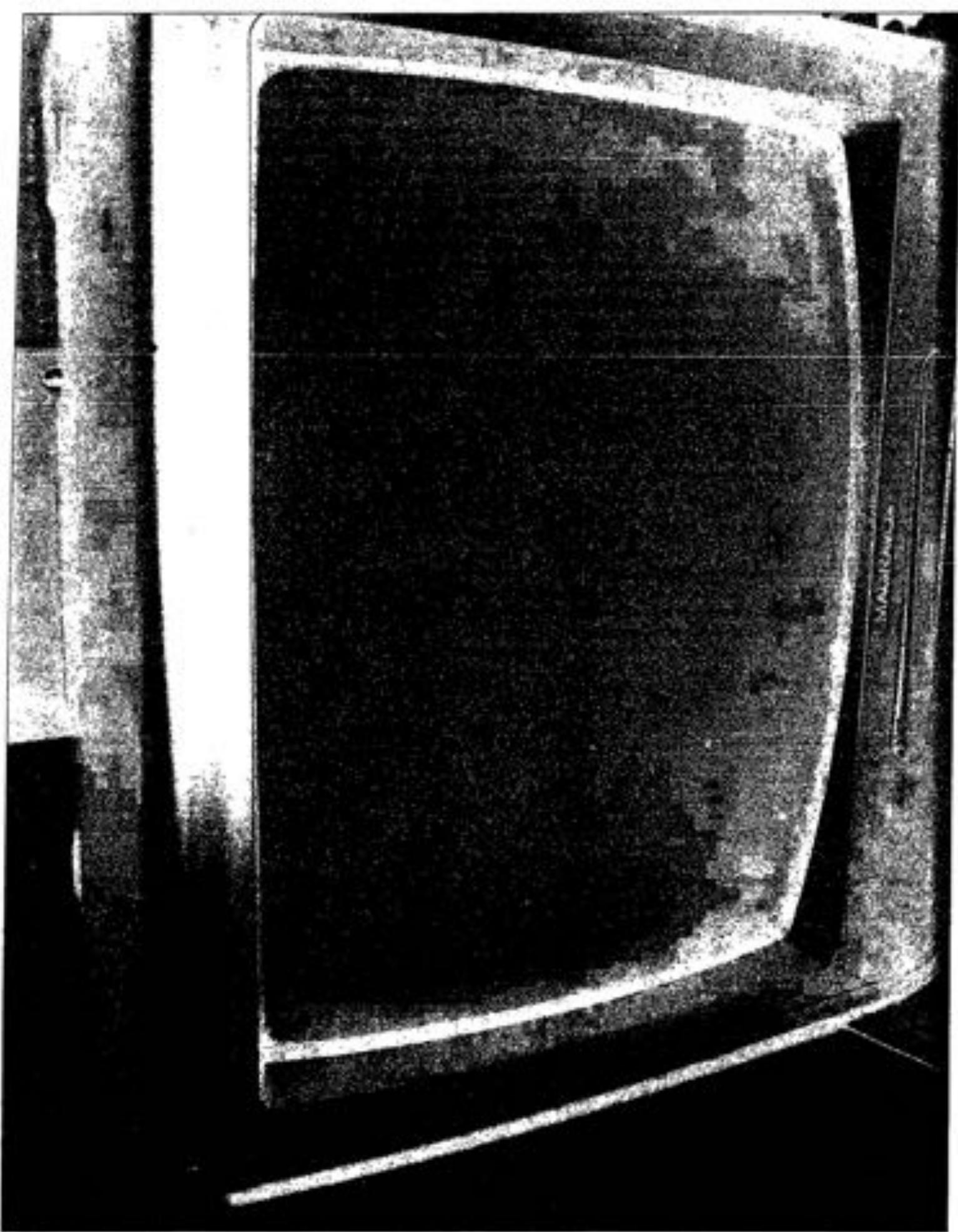


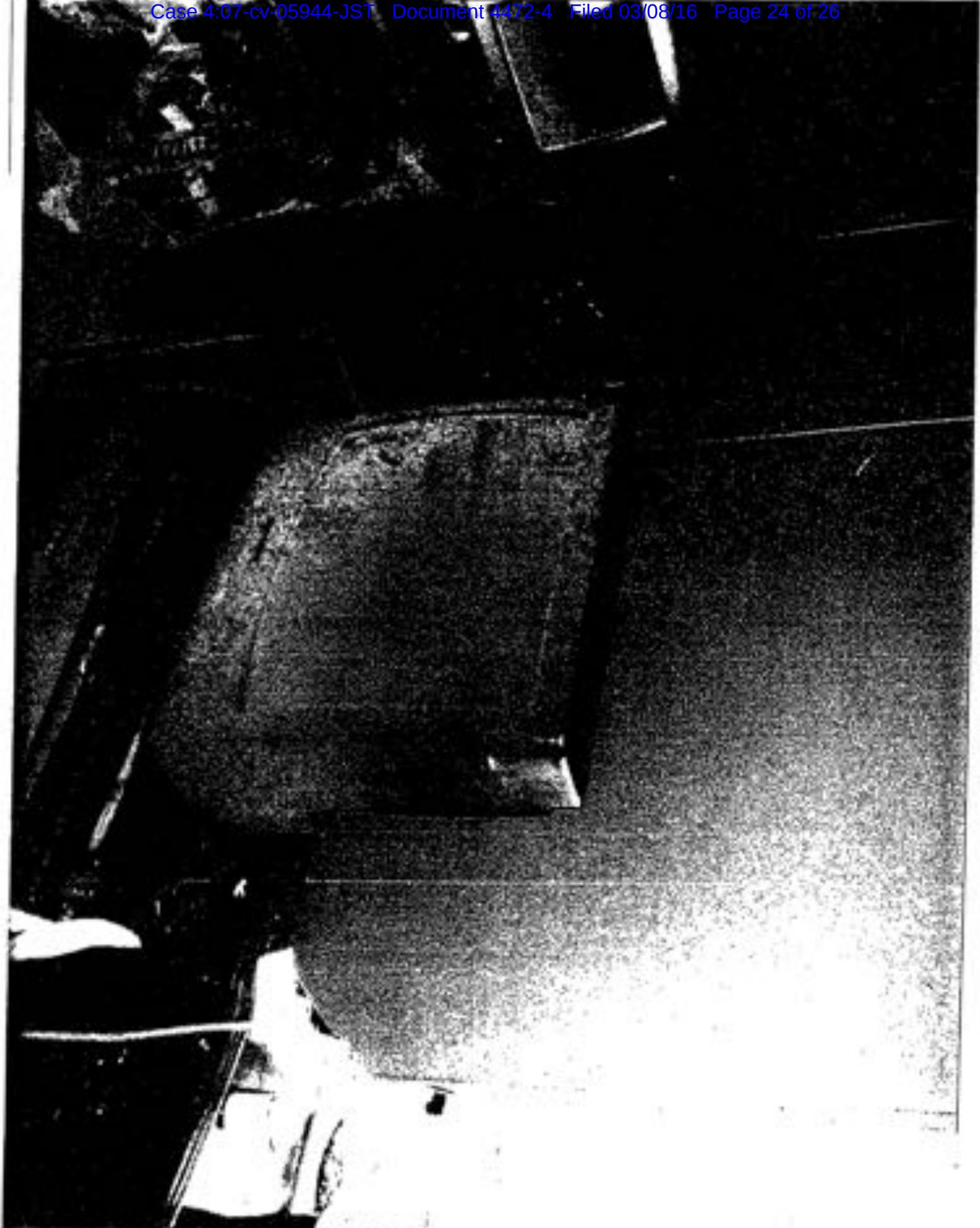
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